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Promotion and protection of human rights: human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms

Programme budget for the biennium 2006-2007

Ad Hoc Committee on a Comprehensive and Integral International Convention on the Protection and Promotion of the Rights and Dignity of Persons with Disabilities

Convention on the Rights of Persons with Disabilities

Programme budget implications of the draft resolution contained in document A/AC.265/2006/L.8/Rev.1

Statement submitted by the Secretary-General in accordance with rule 153 of the rules of procedure of the General Assembly

I. Introduction

1. At the 21st meeting of its resumed eighth session, on 5 December 2006, the Ad Hoc Committee on a Comprehensive and Integral International Convention on the Protection and Promotion of the Rights and Dignity of Persons with Disabilities decided to recommend to the General Assembly for adoption the draft resolution contained in document A/AC.265/2006/L.8/Rev.1 and the draft Convention on the Rights of Persons with Disabilities contained in document A/AC.265/2006/L.7 and Corr.1. Owing to time constraints, a statement of the programme budget implications of the draft resolution was presented orally to the Committee. The present statement is submitted to provide more detailed information to the General Assembly on the programme budget implications of the decisions of the Ad Hoc Committee.

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II. Requests contained in the draft resolution

2. Under the terms of operative paragraphs 2, 4 and 5 of the draft resolution (A/AC.256/2006/L.8/Rev.1), the General Assembly would:

(a) Adopt the Convention and the Optional Protocol to the Convention, which would be open for signature at United Nations Headquarters in New York as from 30 March 2007;

(b) Request the Secretary-General to provide the staff and facilities necessary for the effective performance of the functions of the Conference of the States Parties and the Committee under the Convention and the Optional Protocol after the entry into force of the Convention, as well as for the dissemination of information on the Convention and the Optional Protocol;

(c) Also request the Secretary-General to implement progressively standards and guidelines for the accessibility of facilities and services of the United Nations system, taking into account relevant provisions of the Convention, in particular when undertaking renovations.

3. It is the Secretary-General's understanding that in the light of these requests, the costs associated with the implementation of the Convention should be met from the regular budget of the United Nations. Consequently, the present statement is submitted outlining the financial implications of the Convention as a whole, if adopted.

III. Activities required under the Convention and requested in the draft resolution

4. Should the Convention and the Optional Protocol be adopted, various activities, as described below, would need to be undertaken upon the entry into force of the Convention, which, in accordance with article 45 of the Convention, is due on the thirtieth day after the deposit of the twentieth instrument of ratification or accession.

A. Conference of the States Parties to the Convention

5. In accordance with article 40 of the Convention, no later than six months after the entry into force of the Convention, the Conference of the States Parties would be convened by the Secretary-General. The subsequent meetings would be convened by the Secretary-General biennially or upon the decision of the Conference of the States Parties. It is the understanding of the Secretary-General, as in accordance with article 42, that the Convention would be open for signature at United Nations Headquarters in New York and the first and subsequent meetings of States parties would be held in New York. Consequently, it is assumed that the first meeting of the States parties would be convened in the second half of 2007 or the first half of 2008, but no later than six months after the date of the entry into force of the Convention.

6. In accordance with article 34 of the Convention, the Committee on the Rights of Persons with Disabilities would be established. It would consist, at the time of entry into force of the Convention, of 12 experts. After an additional 60 ratifications

or accessions to the Convention, the membership of the Committee would increase by 6 members, attaining a maximum number of 18 members. Members of the Committee would be elected by States parties. The initial election of the members of the Committee at meetings of the Conference of the States Parties would be held no later than six months after the date of entry into force of the Convention.

B. Sessions of the Committee

7. While the Committee, in accordance with article 34 of the Convention, would establish its own rules of procedure, it is assumed that it would hold two sessions annually of five days each. The Secretary-General, subject to the entry into force of the Convention and the election of the Committee members, intends to convene the first regular session of the Committee for five days in the second half of 2007 or in the first half of 2008. In accordance with the principle established by the General Assembly in its resolution 40/243 of 18 December 1985, the Committee would meet at the headquarters of its substantive secretariat (Office of the United Nations High Commissioner for Human Rights) in Geneva, which would be reflected in the calendar of conferences for future bienniums.

8. At its first regular session, the Committee would be expected, inter alia, to consider and adopt its rules of procedure, to consider and decide on guidelines to the content of the reports by States parties and to take decisions on matters relevant to the organization of its future work. Travel and subsistence costs would be required to be paid in respect of 12 members of the Committee. Given the requirement that the Committee members reflect a balance of experts with disabilities, it is envisaged that some experts would need to be accompanied by assistants and that sign interpretation would be required at the meetings of the Committee.

C. Processing of the reports submitted by States parties to the Convention

9. Under article 35 of the Convention, States parties would submit to the Committee, through the Secretary-General, reports on measures taken to give effect to its obligations under the Convention and on the progress made in this regard, within two years after the entry into force of the Convention for the State party concerned. Thereafter, States parties would submit subsequent reports at least every four years and further whenever the Committee so requested. Under article 39, the Committee would report every two years to the General Assembly and to the Economic and Social Council on its activities and might make suggestions and general recommendations based on the examination of reports and information received from the States parties.

D. Handling communications from individuals

10. Under article 1 of the Optional Protocol to the Convention, States parties to the Protocol would recognize the competence of the Committee on the Rights of Persons with Disabilities to receive and consider communications from or on behalf of individuals or groups of individuals subject to its jurisdiction who claim to be victims of a violation by that State party of the provisions of the Convention. The

Committee would hold closed meetings when examining communications under the Protocol and would forward its suggestions and recommendations, if any, to the State party concerned and to the petitioner. Subject to the entry into force of the Convention, the Optional Protocol would enter into force on the thirtieth day after the deposit of the tenth instrument of ratification or accession.

E. Consideration by the Committee of violations by States parties

11. Under article 6 of the Optional Protocol, if the Committee received reliable information indicating grave or systematic violations by a State party of rights set forth in the Convention, the Committee would invite that State party to cooperate in the examination of the information. The Committee might also designate one or more of its members to conduct an inquiry and to report urgently to the Committee and, where warranted and with the consent of the State party, the inquiry might include a visit to the State party's territory. As mentioned above, subject to the entry into force of the Convention, the Optional Protocol would enter into force on the thirtieth day after the deposit of the tenth instrument of ratification or accession.

F. Accessibility of facilities and services consistent with the Convention

12. It is assumed that measures to ensure accessibility of facilities and services, requested under paragraph 5 of the draft resolution, would include, but not be limited to, the following arrangements with regard to the meetings of the Committee and of the Conference of the States Parties:

(a) Provision of a ramp to provide access to the podium in the conference room;

(b) Provision of sufficient space and conditions in the conference room to enable greater mobility and improved access to desks for wheelchair users;

(c) Provision of a sufficient number of hearing loops;

(d) Provision of closed captioning services in the official languages, when required;

(e) Provision of necessary assistance and seating capacity to sign language interpreters for other languages who might be brought independently by delegations and non-governmental organizations;

(f) Provision of all documentation, statements delivered and other texts under consideration at the meeting in accessible electronic format, including audio format, when possible;

(g) Provision of all official documentation in large text and Braille formats.

13. It is also understood that comprehensive arrangements in accordance with article 9 of the Convention, including standards and guidelines for the accessibility of facilities and services by the United Nations system would be progressively developed, taken account of and implemented by entities of the United Nations system as authorized by their respective governing bodies.

IV. Relationship of the proposed requests to the biennial programme plan and priorities for the period 2006-2007

14. The activities requested in the draft resolution fall under subprogramme 3, Social policy and development, of programme 7, Economic and social affairs, and subprogramme 2, Supporting human rights bodies and organs, of programme 19, Human rights, of the biennial programme plan and priorities for the period 2006-2007.[1] As the activities foreseen in the draft resolution have already been addressed under both programmes, no additional changes would be required should the General Assembly adopt the draft resolution.

V. Resources available within the programme budget for the biennium 2006-2007

15. In the programme budget for the biennium 2006-2007, specific activities and resources with regard to disability were addressed under section 9, Economic and social affairs, and section 23, Human rights.

16. The programme of work related to disability in subprogramme 3, Social policy and development, of budget section 9, Economic and social affairs, includes: (a) servicing of meetings of the General Assembly, the Commission on Social Development and the Ad Hoc Committee; (b) advocacy and capacity-building initiatives, monitoring and reporting on the mandates related to the World Programme of Action concerning Disabled Persons and the Standard Rules on the Equalization of Opportunities for Persons with Disabilities; (c) management of the United Nations Voluntary Fund on Disability and its grants; (d) communications and cooperation with Member States, non-governmental organizations, other United Nations system entities and other partners on disability issues; (e) supporting the work of the Special Rapporteur on disability of the Commission for Social Development; (f) planning and communication around the International Day of Disabled Persons; and (g) production of Braille materials and timely management of the website, meetings, conferences and events. The staff resources allocated to these activities in the programme budget for the biennium 2006-2007 comprise eight posts (1 P-5, 2 P-4, 2 P-3, 1 P-2/1 and 2 General Service (Other level)).

17. It is expected that the existing staff complement under section 9 would continue dealing with activities under the Convention by, inter alia, providing substantive and technical services to the Conference of the States Parties in cooperation with the New York Office of the United Nations High Commissioner for Human Rights (OHCHR); preparing manuals, handbooks and guidelines; and organizing capacity-building activities in support of the ratification and implementation of the Convention.

18. Under section 23, Human rights, of the programme budget for the biennium 2006-2007, the Treaties and Council Branch assigns staffing on an ad hoc basis to meet the needs of the various treaty bodies as and when they arise. In the Research and Right to Development Branch there is one P-4 staff member with thematic

[1] *Official Records of the General Assembly, Fifty-ninth Session, Supplement No. 6* and corrigendum (A/59/6/Rev.1 and Corr.1).

responsibility for disability issues. However there are no posts dedicated specifically to work on matters relating to the Convention.

VI. Financial impact of the activities required under the draft resolution

19. The additional costs arising from the adoption of the draft resolution are indicated below.

A. Section 23, Human rights

20. In order to provide minimal substantive and technical secretariat services to the States parties and the Committee on the Rights of Persons with Disabilities, three posts (1 P-4, 1 P-3 and 1 General Service (Other level)) would be required, with the related annual costs amounting to approximately $393,500.

21. It is envisaged that the Committee would hold two sessions annually of five days each. While the Committee would initially comprise 12 experts, it is expected that some experts will have physical and sensory disabilities that will require them to travel with assistants. Consequently, the related travel and per diem costs for 12 experts and 12 assistants would amount to $150,400 per session, or $300,800 per annum. It is assumed that the Committee would hold its first session in the second half of 2007 or in 2008.

22. As mentioned in paragraph 11 above, under article 6 of the Optional Protocol, the Committee might designate one or more of its members to conduct an inquiry, which might include a visit to the State party's territory. It is estimated that each visit would be of at least one week's duration and be carried out by three Committee members, accompanied by three assistants, four staff members and four interpreters. It is also assumed that two visits would be carried out in 2009 with the related travel and per diem costs estimated at $61,300 per visit, or $122,600 per annum.

23. In accordance with operative paragraph 5 of the draft resolution, OHCHR would prepare one handbook on the Convention for States, human rights field presences and civil society and one fact sheet on the Convention prior to the entry into force of the Convention, presumably in 2007. The total related cost is estimated at $160,200.

24. Under article 34 of the Convention, with the approval of the General Assembly, the members of the Committee would receive emoluments from the United Nations on such terms and conditions as the Assembly may decide. It is recalled that the General Assembly, in its resolution 56/272 of 27 March 2002, with effect from 6 April 2002 set the level of all existing honorariums at $1 per year per member of the related organs. It is expected that provisions of this resolution would also apply to the Committee on the Rights of Persons with Disabilities, unless decided otherwise by the General Assembly.

25. It is also assumed that dissemination of information on the Convention and the Optional Protocol would be implemented by OHCHR and the Department of Public Information of the Secretariat within their existing capacities.

B. Section 2, General Assembly and Economic and Social Council affairs and conference management

26. It is assumed that the first Conference of the States Parties would be convened for three days in New York in the second part of 2007 or in the first part of 2008, but no later than six months after the date of the entry into force of the Convention. It is estimated that it would require conference services for six meetings (two meetings per day) with interpretation services in all six languages. Documentation requirements are estimated at 100 pages of pre-session, 100 pages of in-session and 100 pages of post-session documentation in six languages and summary records for the three-day session. The related conference services costs of these meetings are estimated at $797,300.

27. It is also assumed that the first regular session of the Committee would be convened for five days in the second half of 2007 or in the first half of 2008 at the United Nations Office at Geneva. It is estimated that the session would require conference services for 10 meetings (2 meetings per day) with interpretation services in all six languages. Documentation requirements are estimated at 700 pages of pre-session, 50 pages of in-session and 750 pages of post-session documentation in six languages and summary records for the five-day session. The provision of sign language interpretation for the five-day session in English, French and Spanish would also be required. The related total costs are estimated (on a full-cost basis) at $1,977,200 per session. It is further understood that there would be two sessions per year in 2008 and 2009.

28. As there is a need for the provision of selected documents in Braille to the Conference of the States Parties and to the Committee, the related requirements are estimated at $6,400 per session.

C. Section 28, Management and support services

29. The central support services requirements in connection with conference servicing, including provision of sound technicians, clerical support, etc., are estimated at $3,200 for the Conference of the States Parties under section 28D, Office of Central Support Services, and $3,200 per session of the Committee under section 28E, Administration, Geneva, respectively, of the programme budget.

30. It is also estimated that arrangements to ensure accessibility of facilities and services with regard to the meetings of the Committee and of the Conference of the States Parties, as indicated in paragraph 12 above, would be met from within existing resources in accordance with General Assembly decision 56/474 of 23 July 2002.

31. As regards the request in paragraph 5 of the draft resolution to implement progressively standards and guidelines for the accessibility of facilities and services by the United Nations system, bearing in mind the relevant provisions of the Convention, the related requirements would be taken into account during further consideration of the renovation of the United Nations Headquarters facilities under the Capital Master Plan. It is assumed that other entities of the United Nations system would present related budget requirements for consideration by their respective governing bodies.

32. The details of the requirements are contained in annexes I and II to the present statement. Provided below under the two possible scenarios of the first meeting being held in 2007 or 2008, are the estimated costs (in United States dollars) relating to implementation of the provisions of the draft resolution:

First meeting in 2007	*2007*	*2008*	*2009*	*2008-2009*
Section 2, General Assembly and Economic and Social Council affairs and conference management	2 787 300	3 967 200	4 770 900	8 738 100
Section 23, Human rights (staff costs, travel requirements for representatives, staff and documents)	507 300	694 300	816 900	1 511 200
Section 28D, Office of Central Support Services	3 200	—	3 200	3 200
Section 28E, Administration, Geneva	3 200	6 400	6 400	12 800
Total	**3 301 000**	**4 667 900**	**5 597 400**	**10 265 300**

First meeting in 2008	*2007*	*2008*	*2009*	*2008-2009*
Section 2, General Assembly and Economic and Social Council affairs and conference management	—	4 770 900	3 967 200	8 738 100
Section 23, Human rights (staff costs, travel requirements for representatives, staff and documents)	—	657 700	620 100	1 277 800
Section 28D, Office of Central Support Services	—	3 200	—	3 200
Section 28E, Administration, Geneva	—	6 400	6 400	12 800
Total	**—**	**5 438 200**	**4 593 700**	**10 031 900**

VII. Potential for absorption

33. Should the Convention enter into force in 2007 and the Conference and the Committee meet in 2007, additional requirements for the programme budget for the biennium 2006-2007 would amount to $3,301,000, including $2,787,300 under section 2, General Assembly and Economic and Social Council Affairs and conference management, $507,300 under section 23, Human rights, $3,200 under section 28D, Office of Central Support Services, and $3,200 under section 28E, Administration, Geneva, of the programme budget for the biennium 2006-2007 (see annex I).

34. Should the Convention enter into force in late 2007 and the Conference of the States Parties and sessions of the Committee commence meeting in 2008, additional

resources of $10,031,900 would be considered in the context of the proposed programme budget for the biennium 2008-2009 (see annex II).

35. Provision has already been made under section 2 of the programme budget for the biennium 2006-2007 in the amount of $1,462,600 for servicing two annual sessions of the Ad Hoc Committee and two annual meetings of the pre-sessional working groups in 2007. Accordingly, the net additional conference servicing requirements in 2007 related to the Convention would amount to $1,324,700. In addition, should the Convention enter into force and the Conference of the States Parties and the first session of the Committee on the Rights of Persons with Disabilities be held in 2007, the Secretariat would revert to the General Assembly on meeting the conference servicing requirements in accordance with established procedures. It is envisaged that to the fullest extent possible the estimated expenditures attributable to implementation of the proposed activities under section 23, Human rights ($507,300) and section 28, Management and support services ($6,400) would be met from within existing resources. Any additional expenditures would be reported accordingly in the context of the second performance report for the biennium 2006-2007.

VIII. Summary

36. **Should draft resolution A/AC.265/2006/L.8/Rev.1 be adopted by the General Assembly, no immediate financial implications would arise. Additional provisions of $10,031,900 would be requested in the context of the proposed programme budget for the biennium 2008-2009. Further, should the Convention enter into force and the Conference of the States Parties and the first session of the Committee on the Rights of Persons with Disabilities be held in 2007, the Secretariat would revert to the General Assembly on meeting the conference servicing requirements in accordance with established procedures.**

37. **Further, it is envisaged that, to the fullest extent possible for the biennium 2006-2007, the estimated expenditures attributable to implementation of the proposed activities under section 23, Human rights ($507,300) and section 28, Management and support services ($6,400) would be met from within existing resources. Any additional expenditures would be reported accordingly in the context of the second performance report for the biennium 2006-2007.**

Annex I

Conference of the States Parties and the Committee start meeting in 2007

(United States dollars)

	2007	2008	2009	2008-2009
Section 23, Human rights				
Committee on the Rights of Persons with Disabilities				
Travel of members and assistants to regular sessions	150 400	300 800	300 800	601 600
Country visits by members and assistants under the Optional Protocol			122 600	122 600
Subtotal	**150 400**	**300 800**	**423 400**	**724 200**
Committee's secretariat				
New posts (1 P-4, 1 P-3 and 1 General Service (Other level))	196 700	393 500	393 500	787 000
Preparation of the handbook on the Convention and one fact sheet	160 200			160 200
Subtotal	**356 900**	**393 500**	**393 500**	**947 200**
Total, section 23	**507 300**	**694 300**	**816 900**	**1 671 400**
Section 2, General Assembly and Economic and Social Council affairs and conference management				
Conference of the States Parties (New York)	797 300		797 300	797 300
Regular sessions of the Committee	1 977 200	3 954 400	3 954 400	7 908 800
Provision of selected documents in Braille to the Conference and to the Committee	12 800	12 800	19 200	32 000
Total, section 2	**2 787 300**	**3 967 200**	**4 770 900**	**8 738 100**
Section 28, Management and support services				
Section 28D, Office of Central Support Services	3 200		3 200	3 200
Section 28E, Administration, Geneva	3 200	6 400	6 400	12 800
Total, section 28	**6 400**	**6 400**	**9 600**	**16 000**
Grand total	**3 301 000**	**4 667 900**	**5 597 400**	**10 265 300**

Annex II

Conference of the States Parties and the Committee start meeting in 2008

(United States dollars)

	2008	*2009*	*2008-2009*
Section 23, Human rights			
Committee on the Rights of Persons with Disabilities			
Travel of members and assistants to regular sessions	300 800	300 800	601 600
Country visits by members and assistants under the Optional Protocol		122 600	122 600
Subtotal	**300 800**	**423 400**	**724 200**
Committee's secretariat			
New posts (1 P-4, 1 P-3 and 1 General Service (Other level))	196 700	196 700	393 400
Preparation of the handbook on the Convention and one fact sheet	160 200		160 200
Subtotal	**356 900**	**196 700**	**553 600**
Total, section 23	**657 700**	**620 100**	**1 277 800**
Section 2, General Assembly and Economic and Social Council affairs and conference management			
Conference of the States Parties (New York)	797 300		797 300
Regular sessions of the Committee	3 954 400	3 954 400	7 908 800
Provision of selected documents in Braille to the Conference and to the Committee	19 200	12 800	32 000
Total, section 2	**4 770 900**	**3 967 200**	**8 738 100**
Section 28, Management and support services			
Section 28D, Office of Central Support Services	3 200		3 200
Section 28E, Administration, Geneva	6 400	6 400	12 800
Total, section 28	**9 600**	**6 400**	**16 000**
Grand total	**5 438 200**	**4 593 700**	**10 031 900**